

ജാതികൾ വെച്ചുനൽകും. മഹാരാജാവു തിരുമനസ്സുകൊണ്ട് പരിപൂർണ്ണ ഉത്തരവാദിഭരണം തരവാൻ ഉദ്ദേശിച്ചിരിക്കുന്നു. ആ നിലക്കു അദ്ദേഹത്തിന്റെ സന്നദ്ധതയെ എത്രതന്നെ പ്രകടിപ്പിക്കുകയും മതിയാകുന്നതല്ല. ഈ അഭിപ്രായങ്ങളോടു കൂടി ഞാൻ ഈ പ്രമേയത്തെ പിന്തുടരുന്നു.

മിസ്റ്റർ കെ. എച്ച്. സുലൈമാൻ: സർ, പരിപൂർണ്ണമായ ഉത്തരവാദിഭരണം ലഭ്യമായി എത്തുന്നതിനെപ്പറ്റി പറയുന്ന ഈ പ്രമേയത്തിന്റെ ഉള്ളടക്കത്തോടു ഞാൻ യോജിക്കുന്നില്ല. പൂർണ്ണമായ ഉത്തരവാദിഭരണത്തിലേക്കുള്ള പല പടികളും നാം കടന്നിരിക്കുന്നു. ഈ അവസരത്തിൽ എനിക്ക് പറയാനുള്ളത് നമ്മുടെ മഹാരാജാവു തിരുമനസ്സു ഉന്മൂലയിലെ മറ്റു നാട്ടുരാജാക്കന്മാർക്കെല്ലാം മാതൃകയായി വിരാജിക്കുന്നു; നമ്മുടെ ജനപ്രതിനിധിസഭ മറ്റു ജനപ്രതിനിധിസഭകൾക്കെല്ലാം മാതൃകയായി വിരാജിക്കുന്നു. അതു പ്രകാരമെന്ന നമ്മുടെ രാജ്യം മറ്റു നാട്ടുരാജ്യങ്ങൾക്കെല്ലാം മഹത്തായ ഒരു മാതൃകയായി പരിലസിക്കുന്നു. അതേസമയംതന്നെ പരിപൂർണ്ണമായ ഉത്തരവാദിഭരണത്തിലേക്കു നമ്മൾ എത്തിച്ചേർന്നിരിക്കുന്നു എന്ന അഭിപ്രായത്തോടു എനിക്കു യോജിക്കുവാൻ നിവൃത്തിയില്ല. അതിനെ സംബന്ധിച്ച് പല പ്രാസംഗികന്മാരും ഇവിടെ സമർത്ഥിച്ചുകഴിഞ്ഞിട്ടുണ്ട്. എന്റെ അടുത്തിരിക്കുന്ന മാനുവൽ സ്റ്റേഫിൻ തന്റെ ഗിദ്യാണസയ്യൂണുമായ പ്രസംഗത്തിൽ പ്രതിപാദിച്ചിട്ടുള്ളതിനോടു യോജിക്കുവാൻ സാധിക്കാതെ വന്നതിൽ എനിക്ക് വ്യസനമുണ്ട്. ഇന്നു രാജ്യത്തിലേക്കു കണ്ണോടിച്ചുനോക്കുന്നപക്ഷം പലവിധത്തിലുള്ള ആക്ഷേപങ്ങളും അവരോടും നമുക്കു കാണുവാൻ കഴിയും. അതു വിളിച്ചുപറയുന്നുണ്ട് പരിപൂർണ്ണമായ ഉത്തരവാദിഭരണം ജനങ്ങൾക്കു സിദ്ധിച്ചിട്ടില്ലെന്ന് പക്ഷെ മഹാരാജാവു തിരുമനസ്സുകൊണ്ട് ജനങ്ങൾക്കു അതു കൊടുക്കുവാൻ സന്നദ്ധനാണ്. ആ നിലയിലാണ് നമുക്കു മഹാരാജാവു തിരുമനസ്സിനെ അനുരോദിക്കേണ്ടത്. ഇന്നു പലതരത്തിലുള്ള അവരോടും സമുദായം അനുഭവിക്കുന്നുണ്ട്. അതേസമയം ജനങ്ങൾ അവരുടെ അവരോടും ദുരികരണത്തിനും അധികാരത്തിനും വേണ്ടി പ്രക്ഷോഭം കൂട്ടുന്നുമുണ്ട്. ഈവക സംഗതികൾ വിളിച്ചുപറയുന്നതിനും വേണ്ടി പ്രക്ഷോഭം കൂട്ടുന്നുമുണ്ട്. ഈവക സംഗതികൾ വിളിച്ചുപറയുന്നുണ്ട് നാമെല്ലാവരും ആഗ്രഹിക്കുന്നവിധത്തിലുള്ള പരിപൂർണ്ണ ഉത്തരവാദിഭരണം നമുക്കു ലഭ്യമായിട്ടില്ലെന്നും. അടുത്ത ഭാവിയിൽതന്നെ മഹാരാജാവു തിരുമനസ്സിൽനിന്നു നമുക്കു അതു കരഗതമാകുമെന്നു വിശ്വസിക്കാം. ഈ അഭിപ്രായത്തോടു കൂടി മാത്രമേ നമുക്കു ഈ പ്രമേയത്തെ വീക്ഷിക്കുവാൻ തരമുള്ളൂ. ഈ പ്രമേയത്തോടു പരിപൂർണ്ണമായി യോജിക്കുവാൻ നിവൃത്തിയില്ലെങ്കിലും മഹാരാജാവു തിരുമനസ്സിലെ സന്നദ്ധതയ്ക്കു അഭിനന്ദനം രേഖപ്പെടുത്തിക്കൊണ്ട് ഞാൻ എന്റെ പ്രസംഗം അവസാനിപ്പിച്ചുകൊള്ളുന്നു.

Mr. President: Shall I put the motion to the House? I shall read the resolution—
"This Council places on record its deep sense of gratitude and the gratitude of the people for Cochin to His Highness Sri Kerala Varma, our beloved Maharaja, in having graciously granted full Responsible Government to the peoples of the State with the dawn of independence for India".

Resolution put and carried 4. ADJOURNMENT MOTIONS

Mr. President: I have received a number of adjournment motions from Mr. P. Kumaran Ezhuthassan. Nine motions are in his name. These motions were handed over to me a few minutes before the Council began this morning. I have not decided upon the admissibility as yet.

Mr. P. Kumaran Ezhuthassan (Vadakkancheri): I handed them at 12 minutes past 11.

Mr. President: When there is a batch of adjournment motions like this, it would be very helpful to the President if they are given sufficiently early.

Mr. P. Govinda Menon (Ernakulam): Is there no limit to the number?

Mr. P. Kumaran Ezhuthassan (Vadakkancheri): The Prime Minister is going up.

Mr. President: When any Hon'ble Member brings a number of adjournment motions, it would be very helpful to the Chair if they are presented sufficiently early in order to enable the Chair to take up the matter at once. This is only a suggestion. No member is obliged to do like that. Anyway I shall deal with these adjournment motions tomorrow, so also an adjournment motion from Mr. M. I. Paul. Then before this, one adjournment motion has been received and that also not very much earlier from Mr. S. S. Koder namely

[Mr. President]

to discuss an urgent matter of public importance to protest against the indifference, disregard and apathy of the Constitutional Advisory Committee in ignoring the claims of minority communities like the Anglo-Indians, Jews and others with regard to their representation in the future Legislative Councils of the State".

That is the first motion received this morning. Will the Hon'ble member just show how it is a matter of urgent public importance. Has he to say anything about it? I would like to hear from the Hon'ble Member as to how it is a matter of urgent public importance as to deserve admissibility as an adjournment motion.

Mr. S. S. Koder (Nominated): Sir, we were hoping against hope that our popular Ministers will continue....

Mr. P. Kumaran Ezhuthassan (Vadakkancheri): You mean people's Ministers?

Mr. S. S. Koder (Nominated): Yes, people's Ministers, and popular Ministers, will continue the traditional policy of toleration, sympathy....

Mr. President: The Hon'ble Member must understand that we are on the point of how it is a matter of urgent public importance; we are not discussing the merits of the motion.

Mr. S. S. Koder (Nominated): I will come to that.....and understanding shown to the minorities by our beloved Maharajas throughout these ages. But from the reports that appeared in the papers on October 9th, our hopes were frustrated. In an interview given to the Press Representatives by the Hon'ble Prime Minister, we find that our claims are completely ignored. Sir, this appeared in the papers on 9th October—so there was no time to table a resolution. So it is a matter of recent occurrence. Coming to the public importance of the question, Sir....

Mr. President: Your motion is to protest against some action of the Constitutional Advisory Committee and not of the Hon'ble Ministers.

Mr. P. Kumaran Ezhuthassan (Vadakkancheri): They are identical persons.

Mr. President: I am not controverting, but I am only trying to clarify the issue.

Mr. S. S. Koder (Nominated): I consider that this matter is very urgent and of public importance. By ignoring the claims of minority communities in India, what we find is that India is divided and that she is bleeding white. I do not want those tragedies to be seen in Cochin. Hence the matter is of a very urgent public importance.

***Mr. M. Sivarama Menon (Constitutional Adviser):** Sir, I think that this motion is not in order. In the first place, an adjournment motion, must involve the administrative responsibility of the government. That is a well-accepted principle in the House of Commons where Standing Order No. 8 is substantially in accordance with our own provision regarding adjournment motions. An adjournment motion can be considered to be in order only if it relates to any matter which involves the administrative responsibility of any department of the government or the government as a whole. If for instance a subordinate officer of the Revenue Department makes a report to the Diwan Peishkar or to the Government with regard to a matter upon which a decision has to be taken by the Government, the fact that the officer has made a particular report to the Government cannot properly form the subject matter of an adjournment motion. The motion must relate to a decision or administrative responsibility of the Government and not with regard to a recommendation made to Government by an officer or a committee. If, as a matter of fact, Government had passed orders upon the committee's recommendations; on a specific issue, and then an adjournment motion is brought, certainly, it involves the administrative responsibility of the Government. But here, the very history of the Constitutional Advisory Committee will show that the Ministers who now hold that position were elected, I think, by this House while they were not Ministers. The fact that they became Ministers subsequent to that election is not a ground at all for thinking that the Ministers occupying the chairs as members of the Constitutional Advisory Committee may not take a different view when they function as the Government. Other considerations may weigh with them. Therefore it is too premature for anybody to come forward and say that an adjournment motion is a proper remedy in a case of this nature, when the Government have not taken any decision. In support of that position; I need only bring to the notice of the Hon'ble President that this position has been accepted.

*Speech not corrected by the Hon'ble Member.

Mr. P. Kumaran Ezhuthassan (Vadakkancheri): Is it not a self-evident proposition, Sir?

Mr. M. Sivarama Menon (Constitutional Adviser): Yes, Sir; but to support my proposition I am trying to quote authorities...

Mr. President: All the same, I would like to hear that authority.

Mr. M. Sivarama Menon (Constitutional Adviser): On page 344 May's Parliamentary Practice, it is stated "the interpretation of the standing order has been further clarified by a series of rulings, and the effect of these rulings may be set out as follows: To be in order, the matter raised by a motion for the adjournment under S. O. No. 8 must be (1) definite, (2) urgent, (3) of public importance; (4) involve the administrative responsibility of the government and (5) conform with the rules applicable to all motions for the adjournment whether under the S. O. No. 8 or not". The point is again referred to at page 346 in a bit more detail where under paragraph 4 it is stated that—"Matter must involve the administrative responsibility of the Government.—and that Motions have been disallowed because the matter raised was one—

(a) for which another authority was immediately responsible e.g. (i) A Dominion Government or a Colonial Government having responsibility in the matter raised (ii) A local authority (iii) A provincial police authority (iv) A statutory authority (v) A judicial authority (vi) A foreign Government;

(b) for which no administrative authority was responsible, etc.

Therefore the point is that the opinion of the Constitutional Advisory Committee is not a fit matter for an adjournment motion.

Mr. P. Kumaran Ezhuthassan (Vadakkancheri): Is it not the other way?

Mr. M. Sivarama Menon (Constitutional Adviser): If the recommendation of the Constitutional Advisory Committee upon any matter happened to be accepted by Government and orders passed, then that order if of urgent public importance and a recent one may rightly form the subject of a motion of this kind.

Mr. S. P. Luiz (Nominated): Will it not be late then?

Mr. M. Sivarama Menon (Constitutional Adviser): There is no question of being late involved in this issue. Therefore I beg to submit that this motion is not in order.

Mr. President: I reserve my decision for tomorrow along with the other adjournment motions, because I think of examining the question in detail.

5. ANNOUNCEMENT OF THE PANEL CHAIRMEN

I nominate Mr. M. K. Raja and K. K. Kannan as Panel Chairmen for this session.

6. ANNOUNCEMENT OF BILLS ASSENTED TO BY HIS HIGHNESS THE MAHARAJA

Secretary to the Council: The following bills which have been passed by this House have received the gracious assent of His Highness the Maharaja.

1. The Cochin Stamp Act (Amendment) Bill.
2. The Cochin Sales Tax Act (Amendment) Bill.
3. The Cochin Income-tax Act (Amendment) Bill.
4. The Cochin Vehicles Taxation Act (Amendment) Bill.
5. The Cochin Court Fees Act (Amendment) Bill.
6. The Chittur Cess Recovery Bill.
7. The Cochin Prohibition Bill.

7. DEMANDS FOR SUPPLEMENTARY GRANTS

(i) Under 23—Education—11. Miscellaneous

Mr. P. Govinda Menon (Prime Minister): I move for a supplementary grant of Rs. 1,000 under 23-Education 11, Miscellaneous. Sir, This Government had occasion to contact the Government of the United Provinces and make a request that a few seats may be reserved for Cochin students in the Medical Colleges in the United Provinces. That Government pleased to grant finally one seat every year to a student from Cochin in the Agra Medical College and Government have accordingly selected a student and sent to the Agra Medical College. The student has already joined. But the final reply from the Government of United Provinces was received only after the preparation of the budget. A capitation fee of Rs. 1,000 per year has to be paid. This supplementary grant is intended for that purpose. I pray that the House be pleased to grant the same.